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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/807,698

03/24/2004

Eric J. Glover

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10/30/2006

NEC Laboratories America, Inc.
4 Independence Way
Princeton, NJ 08540

EXAMINER

KIM, PAUL

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/807,698	Applicant(s) GLOVER, ERIC J.	
	Examiner Paul Kim	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 10-20 and 24-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2161

DETAILED ACTION

1. This Office action is responsive to the following communication: Amendment filed on 20 September 2006.
2. Claims 1-9 and 21-23 are pending and present for examination. Claims 10-20 and 24-34 are Non-elected.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-5, 7 and 21-23** are rejected under 35 U.S.C. 102(b) as being anticipated by Lakritz (U.S. Patent No. 6,526,426, hereinafter referred to as LAKRTIZ), filed on 28 January 1999 and issued on 25 February 2003.

5. **As per independent claims 1 and 21**, LAKRTIZ teaches:

A method for crawling for resources in a network, the method comprising:

receiving a list of resources on the network and for at least one of the resources on the list of resources,

sending a first request to a server in the network for the resource using a first browser state {See LAKRTIZ, C3:L61-67, wherein this reads over "the Visitor module . . . automatically determines the language and country of a Web site visitor and directs the Web server to deliver the appropriate localized content contained in one or more country/language databases and/or file-based content in a file system 204 to the visitor's browser"}, and

sending a second request for the same resource using a second browser state {See LAKRTIZ, C3:L61-67, wherein this reads over "the Visitor module . . . automatically determines the language and country of a Web site visitor and directs the Web server to deliver the appropriate localized content contained in one or more country/language databases and/or file-based content in a file system 204 to the visitor's browser"}.

Art Unit: 2161

Additionally, it would be inherent that a list of resources would be received on the network since a user would select a resource from the aforementioned list to request the resource in a certain browser state.

6. As per dependent claims 2 and 22, LAKRITZ teaches:

The method of claim 1 wherein the resources are identified by uniform resource locators and wherein the first and second request specify a same uniform resource locator {See LAKRITZ, C5:L53-62, wherein this reads over "[i]f a document in the language that is first on the priority list is not present on the server, it then looks for the next most appropriate language"; C6:L11-13, wherein this reads over "This allows easy access to the appropriate translation for the informational text based on the most recently valid language for the visitor's country and language"; and C6:L29-30, wherein this reads over "a multi-user server can have a separate region definition for each user's site"}.

7. As per dependent claims 3 and 23, LAKRITZ teaches:

The method of claim 1 wherein the browser state comprises a language preference {See LAKRITZ, C3:L58-60, wherein this reads over "Web site visitors will immediately understand the information they see when they enter a site because it will be instantly presented in their language and for their country"; and C4:L28-38, wherein this reads over "the Visitor module determines the Web site visitor's language and country 301 from one or more of the following criteria"}.

8. As per dependent claims 4 and 23, LAKRITZ teaches:

The method of claim 1 wherein the browser state comprises a locale preference {See LAKRITZ, C22:L35-40, wherein this reads over "WebPlexer has the unique ability to independently maintain both the country and the language associated with each request. This provides a great deal of flexibility in selectively targeting content to specific regions or countries of the world"}.

9. As per dependent claims 5 and 23, LAKRITZ teaches:

The method of claim 1 wherein the browser state comprises location information {See LAKRITZ, C3:L58-60, wherein this reads over "Web site visitors will immediately understand the information they see when they enter a site because it will be instantly presented in their language and for their country"; and C4:L28-38, wherein this reads over "the Visitor module determines the Web site visitor's language and country 301 from one or more of the following criteria"}.

10. As per dependent claims 7 and 23, LAKRITZ teaches:

The method of claim 1 wherein the browser state comprises a network address {See LAKRITZ, C20:L46-48, wherein this reads over "WebPlexer provides a method of optionally forcing the selection of specific language(s) for certain hostnames or ip addresses"}.

Art Unit: 2161

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 6, 8-9 and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over LAKRTIZ, in view of Official Notice.

13. **As per dependent claims 6 and 23**, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a browser identification within the request for a resource so that the server may appropriately deliver the correct content according to the browser type (e.g. Internet Explorer, Netscape Navigator, or Mozilla Firefox) and/or the browser version (e.g. Internet Explorer v.5.1. or v.9.10.4.87).

14. **As per dependent claim 8**, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the first and second requests issued by two different crawler applications, both capable of having multiple browser states.

15. **As per dependent claim 9**, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the first and second requests issued by a crawler application that can vary its browser state between the first and second requests since a user would be able to change the browser settings between the first and second requests.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is (571) 272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

Art Unit: 2161

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chase can be reached on (571) 272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Paul Kim
Patent Examiner, Art Unit 2161
TECH Center 2100

Paul Kim
Paul Kim
Primary Examiner
TC 2100